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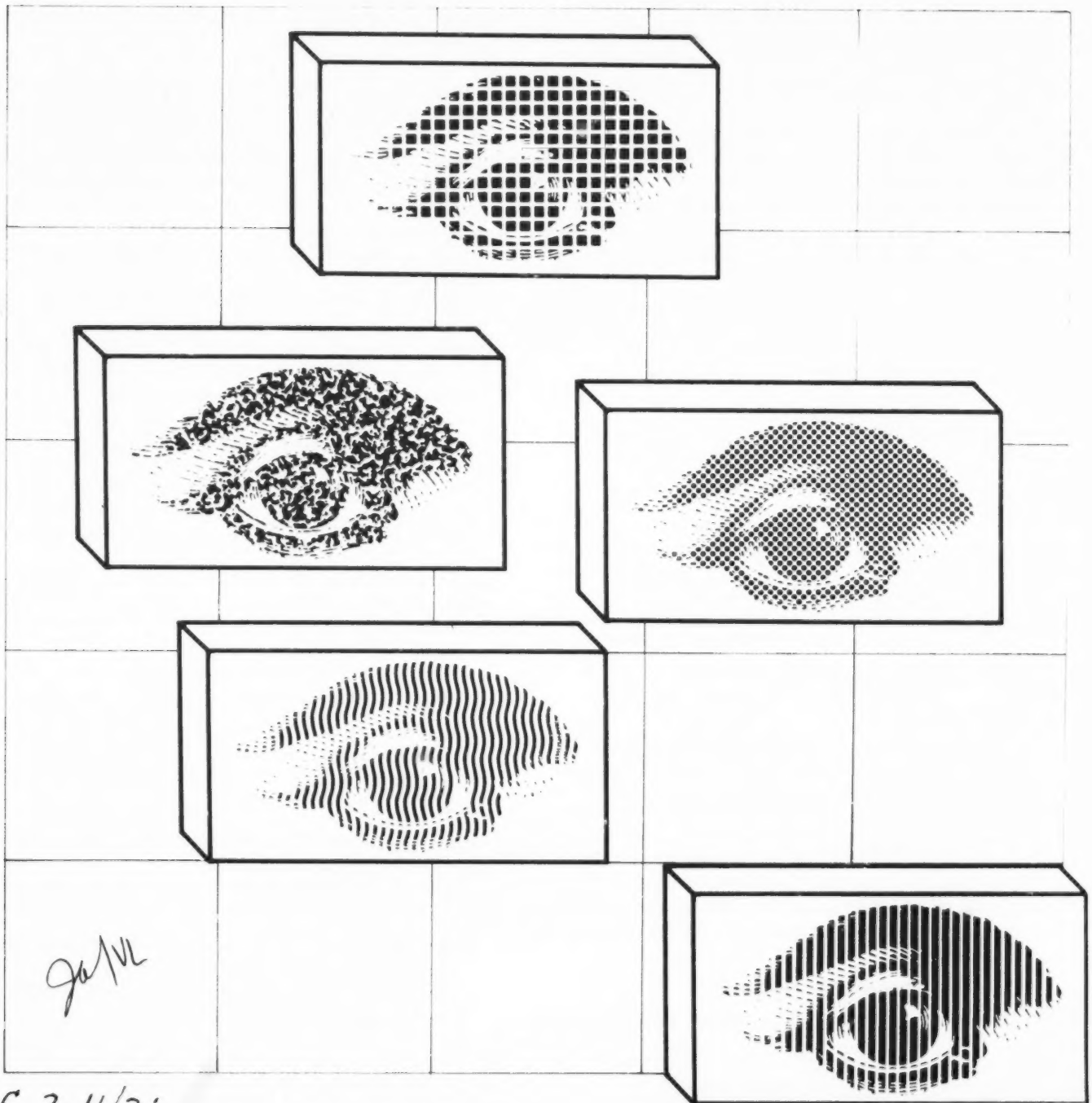
Circular

40a

Deposit Requirements for Registration of Claims to Copyright in Visual Arts Material



LC 3.4/2:

Deposit Requirements for Registration of Claims to Copyright in Visual Arts Material

IN GENERAL

To register a claim to copyright in a work of the visual arts, submit a properly completed application Form VA and a nonrefundable filing fee of $10.00. This material should be accompanied by an appropriate deposit, generally one complete copy of the work if unpublished, two complete copies of the best edition if the work was first published in the United States, and identifying material for certain types of work.

This circular presents a simplified version of the deposit requirements for registration of claims to copyright in visual arts material. It should be viewed only as a basic guide. The items given on pages 3 and 4 are only examples and are not meant to be restrictive. For more detailed information, write for a copy of ML-347 "Deposit Regulations of the Copyright Office." Mail to:

Publications Section, LM-455
Copyright Office
Library of Congress
Washington, D.C. 20559

BASIC DEFINITIONS

Complete Copy

A "complete copy" of an **unpublished** work is a copy that represents the complete copyrightable content of the work being registered. A complete copy of a **published** work is one that contains all elements of the unit of publication, including those which, if considered separately, would not be copyrightable subject matter. The copies deposited for registration should be physically undamaged.

Best Edition

The "best edition" is the edition published in the United States at any time before the date of deposit in the Copyright Office that the Library of Congress determines to be most suitable for its purposes. Generally, when more than one edition is available, the best edition is: larger rather than smaller; color rather than black and white; and printed on archival quality rather than less-permanent paper. Request Circular 7b, "Best Edition of Published Copyrighted Works for the Collections of the Library of Congress," for additional information.

Identifying Material (I.D. Material)

"Identifying material" or "I.D. material" generally consists of two-dimensional reproduction(s) or rendering(s) of a work in the form of photographic prints, transparencies, photocopies, or drawings that show the complete copyrightable content of the work being registered.

SPECIFICATIONS FOR VISUAL ARTS IDENTIFYING MATERIAL

Copyright Office regulations require the deposit of identifying material instead of copies for three-dimensional works and for works that have been applied to three-dimensional objects. Examples of such works include sculpture, toys, jewelry, artwork on plates, and fabric or textile attached to or part of a three-dimensional object such as furniture. Identifying material must also be submitted for any pictorial, graphic, or sculptural work that exceeds 96" in any dimension.

Identifying material is permitted but not required for registration of certain unpublished two-dimensional works, for example, fabric emblems, decals, greeting cards and picture postcards, maps, drawings, and paintings. Identifying material is permitted but not required for registration of the following unpublished or published works: artwork applied to T-shirts or other wearing apparel; bed, bath, and table linens; and jewelry cast only in base metal.

If you either choose or are required to deposit identifying material to register your claim, you should make sure the identifying material meets the following specifications:

- **Type of identifying material:** The material should consist of photographic prints, transparencies, photocopies, drawings, or similar two-dimensional reproductions or renderings of the work, in a form visually perceivable without the aid of a machine or device.
- **Color or black and white:** If the work is a pictorial or graphic work, the material should reproduce the actual colors employed in the work. In all other cases, the material may be in black and white or may consist of a reproduction of the actual colors.
- **Completeness:** As many pieces of identifying material should be submitted as are necessary to show clearly the entire copyrightable content of the work for which registration is being sought.
- **Number of sets:** Only one set of complete identifying material is required. **NOTE:** With respect to three-dimensional holograms, please write the Copyright Office for additional information.

TWO-DIMENSIONAL WORKS

Nature of Work	Required Deposit	
	Published	Unpublished
Advertisements (pictorial)	1 copy as published or prepublication camera-ready copy	Photocopy, proof, drawing, copy, or layout
Artwork for bed, bath and table linens or for wearing apparel (for example, heat transfers or decals already applied to T-shirts)	1 copy if it can be folded in a form not exceeding 4" in thickness; otherwise, I.D. material	same as published
Blueprints, architectural drawings, mechanical drawings, diagrams	1 complete copy	1 copy
Book jackets or record jackets	1 complete copy	1 copy
Commercial print published in newspaper or other periodical	One copy of entire page or pages	
Commercial print or label (for example, flyers, labels, brochures or catalogs used in connection with the sale of goods or services)	1 complete copy	1 copy
Contributions to Collective Works (Photographs, drawings, cartoons, etc., published as part of a periodical or anthology)	1 complete copy of the best edition of entire collective work, complete section containing contribution if published in newspaper, entire page containing contribution, contribution cut from the newspaper, or photocopy of contribution as it was published	
Fabric, textile, wallpaper, carpeting, floor tile, wrapping paper, yard goods	1 complete copy (or swatch) showing the design repeat and copyright notice	1 complete copy (or I.D. material if the work has not been fixed in repeat)

TWO-DIMENSIONAL WORKS

Nature of Work	Required Deposit	
	Published	Unpublished
Fabric emblems or patches, decals or heat transfers (not applied to clothing), bumper stickers, campaign buttons.	1 complete copy	1 copy or I.D. material
Greeting cards, picture postcards, stationery, business cards, calendars	1 complete copy	1 copy or I.D. material
Holograms (2-dimensional)	1 actual copy if image is visible without the aid of a machine or device; otherwise 2 sets of display instructions and 2 sets of I.D. material showing the displayed image	1 copy or display instructions and I.D. material of image
Maps or cartographic material	2 complete copies	1 copy or I.D. material
Patterns, cross-stitch graphs, stitchery brochures, needlework and craft kits	1 complete copy	1 copy or I.D. material
Pictorial or graphic works (for example, artwork, drawings, illustrations, paintings)	2 complete copies	1 copy or I.D. material
Pictorial or graphic works fixed only in machine readable form	I.D. material	I.D. material
Posters, photographs, prints, brochures, exhibition catalogs, calendars	2 complete copies	Copy or proofs, photocopy, contact sheets
"Limited edition" posters, prints or etchings (published in quantities of fewer than 5 copies, or 300 or fewer numbered copies if individual author is owner of copyright)	1 copy or I.D. material	
Oversize material (exceeding 96" in any dimension)	I.D. material	I.D. material

THREE-DIMENSIONAL WORKS

Nature of Work	Required Deposit	
	Published	Unpublished
Artwork or illustrations on 3-D objects (for example, artwork on plates, mugs)	I.D. material	I.D. material
Fabric or textile attached to or part of a 3-D object (such as furniture)	I.D. material	I.D. material
Games	1 complete copy if container is no larger than 12"x24"x6"; otherwise, I.D. material	1 copy if container is no larger than 12"x24"x6" or I.D. material
Globes, relief models, or relief maps	1 complete copy including the stand (I.D. material *not* acceptable)	1 complete copy or I.D. material
Jewelry	I.D. material or 1 copy if fixed only in the form of jewelry cast in base metal not exceeding 4" in any dimension	same as published
Pictorial matter and/or text on a box or container that can be flattened (contents of container are not claimed)	1 copy of box or container if it can be flattened or 1 paper label	1 copy or I.D. material
Prints or labels inseparable from a 3-dimensional object (for example, silk screen label on a bottle)	I.D. material	I.D. material
Sculptures, toys, dolls, molds, relief plaques, statues	I.D. material	I.D. material
Sculpture (for example, doll) in a box with copyrightable pictorial and/or textual material; claim in sculpture and artwork/text	I.D. material for sculpture plus 1 copy of box and any other printed material	I.D. material for sculpture plus copy of box or I.D. material
Oversize material (exceeding 96" in any dimension)	I.D. material	I.D. material

- **Size:** Photographic transparencies must be at least 35 mm in size and, if 3 x 3 inches or less, must be fixed in cardboard, plastic, or similar mounts; transparencies larger than 3 x 3 inches should be mounted. All types of identifying material other than photographic transparencies must be not less than 3 x 3 inches and not more than 9 x 12 inches, but preferably 8 x 10 inches. The image of the work should show clearly the entire copyrightable content of the work.
- **Title and dimension:** At least one piece of identifying material must give the title of the work on its front, back, or mount, and should include an exact measurement of one or more dimensions of the work.

Copyright Notice

For a work published with notice of copyright, the notice and its position on the work must be clearly shown on at least one piece of identifying material. If necessary because of the size or position of the notice, a separate drawing or similar reproduction may be submitted. Such reproduction should be no smaller than 3 x 3 inches and no larger than 9 x 12 inches, showing the exact appearance and content of the notice and its specific position on the work. For further information about the copyright notice, request Circular 3.

FOR MORE INFORMATION

For publications, call the Forms and Publications Hotline, 202-287-9100, or write:

Copyright Office
Publications Section, LM-455
Library of Congress
Washington, D.C. 20559

To speak with an information specialist or to request further information, call 202-479-0700, or write:

Copyright Office
Information Section, LM-401
Library of Congress
Washington, D.C. 20559

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